

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

BARRY GIBBS,

Petitioner

-VS-

FREDERICK FRANK, et al.,

## Respondents

NO. 3:CV-99-1627

(Judge Kosik)

## ORDER

AND NOW, this 13<sup>th</sup> day of September, 2005, IT IS HEREBY ORDERED THAT:

(1) Respondents' Motion for Reconsideration and Motion to Stay filed on November 23, 2004 (Documents 32 and 33) are denied as moot; and,

(2) The Petitioner's Application for Release and a determination regarding the necessity for oral argument remain outstanding.

s/Edwin M. Kosik  
United States District Judge